l: Allen H-4 (no date) 1932 RI1 Georgia RI1

[Medieval Georgia]

the anger of the Catholicos of their time on account of their way of living.

The two powers of the Church and the Crown seem to have been virtually interdependent. The Catholicos and his bishops held wide lands and owned great numbers of serfs—"the sons of Mtzkheta". The Church property was free from taxation except in events of emergency, and the Catholicos enjoyed a share of state dues and in addition such perquisites as the takings of the toll-house at Gori and a tax on dye-houses. Many *mtavarni* and *aznaurni* were his vassals; and the levies from the estates of the Church went on campaign under their own commander, who was, in principle, independent of the royal surveillance. Together the Crown and the Church monopolized all the power and the greater part of the wealth of the country, and on terms of amity and confidence, the one supported the other. The King nominated a new Catholicos, and the Catholicos presided over the assembly of lords, spiritual and temporal, at the coronation of a new king.

> "An affront", says the Code of Wakhtangi, "of whatever nature it may be, made against the King or the Catholicos, is of equal gravity; for if the first is master of the body, the second is of the soul, and they have both received the consecration of God and men." [1]

Much of the wealth that poured into the country as a result of the consolidation of the monarchy and the successful wars against the Muslims, found its way into the hands of the ecclesiasts. Triumphant kings endowed the Church with new lands and further numbers of serfs, and successful soldiers minted their loot into richly bejewelled icons and the spoils of Muslim harîms into sacerdotal plate.

Hundreds of churches and monasteries sprang up, constructed at great cost by architects, stone-masons and wood-carvers, many of whom were brought from Byzantium. The churches were full of gorgeous vestments, of rare illuminated holy books, of miraculous relics presented by noble devotees returned from the Holy Land,[2] of costly gold and silver vessels. At the boards of the Catholicos and of his bishops, holy men and their lay guests feasted to their full on the first fruits of the land. And the Church was chosen by the cadets of the aristocracy as a career more lucrative and more pleasing than service at the court, or in the trains of the great *didebulni*.

[1] Brosset, *H. de la G.*, Intro. et Add., p. cx. In the reign of Bagrat IV the Annalists refer to the Catholicos as "the Holy King Melkisidekh" (I, 321).

[2] For an account of the curious relics in the possession of the Dadiani see Chardin, 1686 ed., p. 99.

5: Amer. Russ. Inst. (no date) 1950 RII Georgia RII

[Constitution as of July, 1947]

C O N S T I T U T I O N

(Fundamental Law)

of the

GEORGIAN

SOVIET SOCIALIST

REPUBLIC

of February 13, 1937

As amended through July 24, 1947

Chapter I. The Social Structure

642 Art. 1. The Georgian Soviet Socialist Republic is a socialist state of workers and peasants.

Art. 2. The political foundation of the Georgian SSR is the Soviets of Working People's Deputies, firmly established as a result of the overthrow of the power of the landlords and the capitalists and the establishment of the dictatorship of the proletariat.

Art. 3. All power in the Georgian Soviet Socialist Republic belongs to the working people of town and country as represented by the Soviets of Working People's Deputies.

● 471 Art. 4. The economic foundation of the Georgian SSR is the socialist system of economy and the socialist ownership of the instruments and means of production, firmly established as a result of the liquidation of the capitalist system of economy, the abolition of private ownership of the instruments and means of production, and the elimination of the exploitation of man by man.

421 Art. 5. Socialist property in the Georgian Soviet Socialist Republic exists either in the form of state property (belonging to the whole people) or in the form of cooperative and collective-farm property (property of collective farms, property of cooperative societies).

421 475 Art. 6. The land, its mineral wealth, waters, forests, mills, factories, mines, rail, water and air transport, banks, communications, large state-organized agricultural enterprises (state farms, machine and tractor stations and the like), as well as municipal enterprises and the bulk of the dwelling houses in the cities and industrial localities, are state property, that is, belong to the whole people.

474 421 Art. 7. The common enterprises of collective farms and cooperative organizations, with their livestock and implements, the

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products of the collective farms and cooperative organizations, as well as their common buildings, constitute the common, socialist property of the collective farms and cooperative organizations.

Every household in a collective farm, in addition to its basic income from the common, collective-farm enterprise, has for its personal use a small plot of household land and, as its personal property, a subsidiary husbandry on the plot, a dwelling house, livestock, poultry and minor agricultural implements - in accordance with the Rules of the Agricultural Artel.

Art. 8. The land occupied by collective farms is secured to them for their use free of charge and for an unlimited time, that is, in perpetuity.

Art. 9. Alongside the socialist system of economy, which is the predominant form of economy in the Georgian SSR, the law permits the small private economy of individual peasants and handicraftsmen based on their own labour and precluding the exploitation of the labour of others.

Art. 10. The personal property right of citizens in their incomes and savings from work, in their dwelling houses and subsidiary home enterprises, in articles of domestic economy and use and articles of personal use and convenience, as well as the right of citizens to inherit personal property, is protected by law.

Art. 11. The economic life of the Georgian SSR is determined and directed by the state national-economic plan, with the aim of increasing the public wealth, of steadily raising the material and cultural standards of the working people, of consolidating the independence of the USSR and strengthening its power and defensive capacity.

Art. 12. Work in the Georgian SSR is a duty and a matter of honour for every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

The principle applied in the Georgian SSR is that of socialism: "From each according to his ability, to each according to his work."

Chapter II. The State Structure

Art. 13. For the purpose of mutual assistance among the Union Republics along economic and political lines, as well as along the line of defence, the Georgian SSR voluntarily united with the other equal Soviet Socialist Republics, namely:

The Russian Soviet Federative Socialist Republic,
The Ukrainian Soviet Socialist Republic,
The Byelorussian Soviet Socialist Republic,
The Uzbek Soviet Socialist Republic,
The Kazakh Soviet Socialist Republic,
The Azerbaijan Soviet Socialist Republic,
The Lithuanian Soviet Socialist Republic,
The Moldavian Soviet Socialist Republic,
The Latvian Soviet Socialist Republic,
The Kirghiz Soviet Socialist Republic,

6: Grigolia E-4, 5 (no date) 1939 RI1 Georgia RI1

It is interesting to note the information given by Professor Kovalevsky, which exposes the group ownership of the Pshavs.[13] He relates that during his visit to the country he found an interesting combination of property rights of a nation, of the community, and of the separate family. For example, the forest was in common possession of the whole Pshav nation, the pasture ground was the property of communities which composed the nation, and the arable land was in the hands of each family, private or joint; and as there seldom was a division of the family, the property did not change hands but remained in the same family. Contrary to the Pshavs, division of the family was a general occurrence with the Khevsurs, and had as a consequence the division of property and the poverty of the people. At once, after his marriage, every Khevsur usually separates from his father and brothers and begins life for himself.[14] In contrast to this, the wealth of the Pshavs, who are not partisans of family division, was much greater than that of their neighbors. Among the Pshavs and Tushes were even such rich persons who possessed from 40,000 to 50,000 rubles, which they usually buried in the ground. As for the Khevsurs, they possess few cattle and are generally very poor.[14] Their property is very limited. A family is considered wealthy which owns as many as fourteen or fifteen cows, four or five oxen, two or three horses, and a mule. Their principal wealth is in arms, which are highly valued, and in copper vessels; money is very scarce.[15]

The government of the Georgian kingdom opposed the division of the family and favored its preservation, for it regarded the joint ownership of families as beneficial to the members of the families themselves as well as to the whole kingdom whose subjects they were. Thus, in the Georgian Code of King Vakhtang VI[16] we find passages encouraging the preservation of joint families and discouraging the partition and breaking up of family groups. The economic profit resulting from such organizations

[13] Kovalevsky: a, II, 84.
[14] Eristov: 111.
[14] Eristov: 124.
[15] Zisserman: 213.
[16] Vakhtang's Code.

6: Grigolia E-4, 5 (no date) 1939 RI1 Georgia RI1

is manifest, even at the present time, in the rural life of eastern Georgia, where the primitive methods of tillage require five or six, or even more, pairs of oxen and many workmen. Instead of the joint family, which has now disappeared, economic groups are formed for the joint execution of field work, in which the prerogatives and duties of every participant are clearly defined.

As we mentioned in the beginning, group ownership among the Georgian Highlanders is manifested in the ownership of pasture ground, forests, and church property.

Pasture grounds are owned by every community jointly, and their boundaries are clearly defined and fixed. The Pshavs, who possess large flocks of sheep, amounting among wealthy men to as many as ten thousand head of animals,[17] hire the pasture ground from the Khevsurs and in other suitable places. Every member of the community in Pshavia,[18] had a right to use, after harvest, the arable land as pasture for his herds in the territory of the whole community. The pasture grounds of the Tushes represented a joint property of communities.[19]

The forests are situated in the territory of the people, as, for example, the forest on the banks of the River Alazani in Tushetia, called *otkhi thvali* (meaning "four eyes"). This forest was bought with the money of all Pshav communities, and represented the national property.[20] Upon the ownership of the forest depended the method of acquiring the arable land by the so-called *akho* (ownership by seizure), which allowed every member of the community to clear the land and cultivate it for his own benefit, without asking special permission from anybody for this action, and this portion of cleared land was regarded as his own property as long as he cultivated it. However, with the introduction of Russian rule in the Caucasus, a great portion of the forest was claimed for the Crown, and proclaimed as the property of the Imperial Government. The consequence of this was that it put an end to the ancient method of acquiring landed property by

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[17] Zisserman: 233.
[18] Machabeli: V, 386.
[19] Khakhanov: a, 43.
[20] *Ibid.*

6: Grigolia E-4, 5 (no date) 1939 RI1 Georgia RI1

seizure (*akho*). New clearings were forbidden by the government and, if made, were done so only by special permission of the authorities.

Most forests were the property of the Church. Almost every investigator or mere traveler who has visited the country of the Georgian Highlanders describes the rich virgin forests belonging to the Church. We have already mentioned such forests in Svanetia,[21] as described by Bartolomei[22] and Bakradze.[23] The same situation was found among the Khevsurs. The forests representing Church property are called by the Khevsurs, Pshavs and Tushes, *sakhato* forests, and they are usually situated around the sanctuaries or not far from them. Such forests are very easily recognized by their large old trees. No one is permitted to approach these trees or to break off their branches.

Besides the forests, the Church property consists of arable land, vineyards, flocks of sheep, and church utensils and vessels.

All members of every community are members of the local sanctuary, the arable land, and pasture grounds (*sakhato mitsebi,* of property." The property of the sanctuary (*khati*) is called *sakhato,* and consists of different buildings representing the sanctuary, the arable land, and pasture grounds (*sakhato mitsebi,* meaning "church lands"). Besides the above-mentioned property of the *khati,* there are also silver and copper vessels and utensils necessary in the brewing of beer, called *ludi,* and for church festivals. All the property of the *khati* is regarded as common property of all the *mogantzuri.* The supervision and care of the church property is entrusted to the attendants of the sanctuary—*dekanozi, khutsi, dasturi,* and others.

Almost every sanctuary in Khevsuria and Pshavia possessed large copper pots, valued at from one hundred to two hundred rubles, and used for brewing beer from barley.[24] Some sanctuaries possessed silver vessels of different form and size, with the names of the donors inscribed on them, and worth from one to

[21] See Chapter III.
[22] Bartolomei: 151-3.
[23] Bakradze: 51.
[24] Eristov: 99.

6: Grigolia E-4, 5 (no date) 1939 RI1 Georgia RI1

twenty thousand rubles. Dr. Radde (1878) relates that he found silver vessels in a sanctuary in Khevsuria valued at fifteen hundred rubles. "Diese gefaesse bilden den hauptsaechlichsten Reichtum des heidnischen Tempels. Im vorliegenden Falle konnte ich sie wohl auf einen Worth von 1500 Rubel schaetzen."[25] Concerning the Pshav sanctuary *Lashris jvari*, Klaproth writes (1808):[26] "It is said to contain many golden images of saints, crosses and church utensils, for to this place the Pshavs and Tushes bring all the gold and silver that fall into their hands." All this wealth is in the custody of the *dekanozi*, who preserve them in well-hidden pits. About the same sanctuary Prince Vakhusht writes (1789):[27] "In Pshavia is a church erected by Kink Lasha, where there are preserved a great number of gold and silver icons (holy images), crosses, vessels and books. They call this church *Lashris-jvari*, and hold it in great veneration. There is not one Pshav or Khevsur who will keep gold and silver for himself; he has no right to it, but must present it to the church of *Lashris-jvari*."

Besides the above-named vessels and utensils, the sanctuaries also possessed vineyards,[28] which were situated in the Georgian province of Kakhethi, famous for its excellent varieties of wine. The wine from these vineyards, called *kulukhi*, is used for the church festivals, where enormous quantities of beer and wine are consumed by the thirsty throats of the mountaineers. These drinking orgies always end in fighting and brawling.

The purchase of a vineyard or other necessary properties for the sanctuary was made in the following manner: the *khevis-beri* of one of the sanctuaries called the people together on the meeting grounds and announced his wish to them concerning the purchase of a vineyard or some other property for the sanctuary, and asked them to make the assessments of money among themselves for this purpose. The necessary funds were contributed promptly and willingly by the community and given to *khevis-beri*, who arranged the purchase.

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[25] Radde: c, 259.
[26] Klaproth: a, 396.
[27] Vakhusht: 109-10.
[28] Zisserman: 233; Eristov: 99, 108.

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The barley for the preparation of the beer is brought by all members of the community where the sanctuary is situated, and is kept in stock in a special building of the sanctuary called *begeli*. And for numerous sacrifices brought during Church festivals, the sanctuary of *Thamar-mepe* even possesses a large flock of sheep, the shepherds of whom are appointed from the members of the congregation, for a period of one year, and are subject to many taboos and regulations, which they must obey during that period.

Any violation of group or private property is regarded as a crime, and in its prosecution the principal matter is the restitution of material damage.